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8 Attorneys for Plaintiff

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) No.: CR 08-0157 JSW
15 Plaintiff,)
16 v.)
17 ANTHONY MORA ,)
18)
19 Defendant.)
20

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

21 On September 18, 2008, the parties in this case appeared before the Court for status
22 conferences. The parties stipulated and the Court agreed that time should be excluded from the
23 Speedy Trial Act calculations from September 18, 2008, through October 9, 2008, for effective
24 preparation of defense counsel. The parties represented that granting the continuance was the
25 reasonable time necessary for effective preparation of defense counsel, taking into account the
26 exercise of due diligence. *See* 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the
27 ends of justice served by granting such a continuance outweighed the best interests of the public
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STIP. & [PROPOSED] ORDER EXCLUDING TIME
CASE NO. CR08-0157 JSW

1 and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

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4 JOSEPH P. RUSSONIELLO
United States Attorney

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6 DATED: 9/19/08
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8 OWEN P. MARTIKAN
Assistant United States Attorney

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10 DATED: 9/18/08
11 BARRY J. PORTMAN
Federal Public Defender

12
13 GEOFFREY A. HANSEN
Attorneys for Anthony Mora

[PROPOSED] ORDER

14 As the Court found on September 18, 2008, and for the reasons stated above, an
15 exclusion of time from September 18, 2008, through October 9, 2008, is warranted because the
16 ends of justice served by the continuance outweigh the best interests of the public and the
17 defendant in a speedy trial. *See* 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested
18 continuance would deny defense counsel the reasonable time necessary for effective preparation,
19 taking into account the exercise of due diligence, and would result in a miscarriage of justice.
20 See 18 U.S.C. §3161(h)(8)(B)(iv).

21
22 SO ORDERED.

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24 DATED: September 19, 2008
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26

HON. JEFFREY S. WHITE
United States District Judge